



4242 MERRICK ROAD, MASSAPEQUA, NEW YORK 11758

ATTORNEYS

JUSTIN M. REILLY, ESQ.
KEITH E. WILLIAMS, ESQ.

PARALEGALS

ROSA COSCIA
CATALINA ROMAN

Via: EDNY ECF

October 10, 2023

Honorable Judge Carol Bagley Amon
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Martinez, et al. v. Atlantis Super Wash Center, Inc., et al.; 23-cv-04667 (CBA)(PK)*

Dear Hon. Judge Amon,

I represent Plaintiffs in this FLSA action. I write pursuant to Your Honor's Individual Rules and in response to Defendants' Request for a Pre-Motion Conference in anticipation of their Motion to Dismiss the Complaint.

While Plaintiffs do not believe Defendants' basis for dismissal has any merit, Plaintiffs intend on filing an Amended Complaint to cure any perceived deficiencies. Pursuant to Federal Rule 15, Plaintiffs deadline to file an Amended Complaint as of right is October 27, 2023. *See Fed. R. Civ. P. 15(1)(B)* ("A party may amend its pleading once as a matter of course within ... 21 days after service of a motion under Rule 12(b)").

In the event Defendants renew their Request for a Pre-Motion Conference in advance of moving to dismiss the amended complaint, Plaintiffs will be ready to submit a proposed briefing schedule for Your Honor's review and consideration.

We thank the Court for its time and attention to this matter.

Respectfully submitted,



Keith E. Williams, Esq.

cc: all counsel of record, via ECF.